

**INSTRUCTIONS FOR FILING
NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW
IN THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF
WATER FROM THE SNAKE RIVER BASIN WATER SYSTEM.**

PLEASE TYPE OR PRINT CLEARLY

WATER RIGHT

A water right allows the private use of Idaho's public water. When properly recorded, a water right gives you the right to divert a specific amount of water from its source for a beneficial purpose. (Some examples are: irrigation, domestic, stockwater, industrial, or power production). There are many other beneficial uses of water also recognized by Idaho law.

CLAIMANT

A claimant is any person or organization that has diverted water for beneficial use from a location within the adjudication boundaries of the Snake River Basin. This includes streams, springs, lakes, ground water, developed water, waste water, or any other source of water within the boundaries of the Snake River Basin in Idaho.

PERMIT REQUIREMENTS

The permit system for establishing a water right became mandatory for uses developed from ground water after March 25, 1963 (except for single family domestic or stockwater uses that do not exceed 13,000 gallons per day) and for uses developed from surface water after May 20, 1971 (except for watering stock directly from streams). If your water use began after March 25, 1963 for ground water or after May 20, 1971 for surface water, and it is not one of the exceptions noted above, and a water right was not perfected under the permit system, an "Application for Permit" form should be filed instead of this claim.

March 25, 1963 for ground water or after May 20, 1971 for surface water, and it is not one of the exceptions noted above, and a water right was not perfected under the permit system, an "Application for Permit" form should be filed instead of this claim.

COMPLETE THE CLAIM FORM

Please complete all applicable items on the claim form. A claim that is incomplete will not be accepted and will be returned to you for the missing information.

CLAIMANT'S NAME ON EACH PAGE

A space is provided at the bottom of the second and the remaining pages of the claim form for the last name of the claimant. If the claimant is an organization, the organization name is entered in this space. Please be sure that the name is entered on each page of the claim form, and on any additional attached sheets. This will prevent part of the claim form from being lost if it becomes separated during processing. Do not enter an Identification Number. If more space is required for any item, enter the information in Remarks (Item 14) or attach additional sheets. Be sure to identify all of the attachments to the claim form in Remarks (Item 14).

THIS CLAIM IS FOR YOUR WATER RIGHT

The claim you submit is your statement of what you believe is your water right. The instructions are supplied to help you detail your water right.

NAME AND ADDRESS

Item 1: Enter full name, mailing address and telephone number of the claimant(s). If more space is required for additional names, addresses, and telephone numbers, write these on another sheet of paper and attach it to the claim form. If the names on the claim have an "and" between them, all of the named parties must sign the claim. If the names on the claim have an "or" or an "and/or" between them, all of the parties may sign the claim, but only one of the named parties must sign the claim. If the claimant is in the process of selling the property on which this water right is claimed, enter the new owner's name and address in Remarks (Item 14).

DATE OF PRIORITY

Item 2: Enter the priority date by month, day, and year. Spell out the month. If the basis of your claim is a decree, permit, or license the priority date is the date shown on the decree, permit, or license. If the basis of your claim is beneficial use, enter the date the water was first applied to that use. If the exact date is not known, indicate your best estimate of that date since this is an important part of the claim to a water right. If the basis of your claim is a posted notice, the priority date is the date of posting, if the water right was diligently

developed after the posting of the notice, and has been used continuously. Include with your claim, a copy of the posted notice from the county recorder's office where the posted notice is recorded. **ONLY ONE PRIORITY DATE CAN BE SHOWN ON A CLAIM.** Water rights with different priority dates must be filed on separate claim forms because each is a separate water right.

SOURCE OF WATER SUPPLY

Item 3: Enter the name of the stream, lake, drain ditch, or spring for a surface water source on line (a). Use the name shown on the U.S. Geological Survey quadrangle map. If unnamed, enter as unnamed stream, unnamed lake, or unnamed drain. If the source is an unnamed spring, enter "spring" for the source. Enter the first named stream or lake downstream to which the source is a tributary to on line (b). If the source sinks before entering another stream or lake, enter "sinks" for tributary to. The water from a well is entered as "groundwater" on line (a). Water from a well does not require an entry for tributary to. Only one source is allowed per claim, except when more than one source is being used for a single delivery system.

Examples of water sources and tributaries:

Source of water supply (a) Snake River.
which is tributary to (b) Columbia River.

Source of water supply (a) unnamed drain.
which is tributary to (b) Sand Creek.

Source of water supply (a) spring.
which is tributary to (b) sinks.

Source of water supply (a) groundwater.
which is tributary to (b) _____.

LOCATION OF POINT OF DIVERSION

Item 4: The point of diversion is the location at which the water is diverted from a natural water source (this includes drain ditches). Enter the township, range and section in which the point of diversion is located. Also, describe the location of the point of diversion to the nearest 40 acre tract (quarter-quarter section) or government lot within a section. If possible, describe the point of diversion to the nearest 10 acre tract (quarter-quarter-quarter section) within a quarter-quarter section or government lot. Enter the county in which the point of diversion is located in the appropriate space.

Only one point of diversion may be entered per claim unless the claim is for a single delivery system with more than one point of diversion, or the claim is for a single licensed or decreed water right that covers more than one water delivery system. If your system has more than one point of diversion, enter the additional point(s) of diversion in the appropriate space. If the point of diversion is in a platted subdivision, and the plat has been recorded in the county recorder's office for the county in which the subdivision is located, include the name of the subdivision, the lot, and the block number in Remarks (Item 14).

If the claim is for a minimum instream flow, the point where the claimed flow begins and the point where the claimed flow ends should be described.

If the water is being diverted from one source, and then injected into a second water source for conveyance to the place of use, provide the following information: The original source of the water and the stream or lake it is tributary to is entered in Source of Water Supply (Item 3). The location at which the water is diverted from this source is entered as the point of diversion in Item 4. The name of the second water source, the legal description of the point of injection into the second water source, and the legal description for the point of redirection from the second water source is entered in Remarks (Item 14) of the claim form.

Examples describing the point of diversion to the nearest 10 acre tract:

Location of point of diversion is: Township **10S** Range **24E**
Section **30** , **SW** 1/4 of **SE** 1/4 of **NE** 1/4, Govt. Lot **7**,
B.M., County of **Minidoka**

Location of point of diversion is: Township **2N** Range **38E**
Section **34** , **SE** 1/4 of **NE** 1/4 of **SE** 1/4, Govt. Lot __ ,
B.M., County of **Bonneville**

Location of point of diversion is: Township **8N** Range **4W**
Section **14** , **NE** 1/4 of **NW** 1/4 of **SE** 1/4, Govt. Lot __ ,
B.M., County of **Payette**

Location of point of diversion is: Township **25N** Range **1E**
Section **10** , **NW** 1/4 of **SE** 1/4 of **SW** 1/4, Govt. Lot __ ,
B.M., County of **Idaho**

DESCRIPTION OF DIVERSION WORKS

Item 5: Describe as completely as possible the means used to divert the water. Include the major components of the water delivery system such as dams, reservoirs, ditches, wells, pumps, pipelines, headgates, or any feature that is essential to your diversion system. Include the dimensions of the components as originally constructed, and if the system has

been altered or enlarged since it was originally constructed, include the new dimensions. If changes or enlargements have occurred, indicate the date(s) the changes were made.

PURPOSE AND USE

Item 6: Enter the purpose(s) for which the water is being used. Enter the day of the year the use begins and the day of the year the use ends each year. If the water is used all year, the dates would be from January 1 to December 31. The length of the irrigation season varies with location within the state. Use the map labeled "Suggested Irrigation Seasons" located on the next to last page of the instructions to determine the suggested length of the irrigation season for your area. For diversion from a surface water source or a well, the amount of water entered is in cubic feet per second (cfs). For water rights that include storage, the amount of water for the storage portion of the right is entered in acre feet. This amount is usually the amount of water that can be removed from the reservoir, or the active storage capacity of the reservoir.

CALCULATION OF THE AMOUNT DIVERTED

If you know the number of gallons per minute (gpm) your system produces, you can calculate the cubic feet per second (cfs) it produces by dividing the gpm by 448.8 ($\text{gpm} / 448.8 = \text{cfs}$). Or, if you know the number of Idaho miner's inches of water you divert, you can calculate the cfs amount by dividing the number of miner's inches by 50 ($\text{miner's inches} / 50 = \text{cfs}$). Round the amount you calculate to the nearest 0.01 cfs.

Most water rights have the following cfs amounts: Irrigation use, 0.02 cfs (1 miner's inch) for each irrigated acre. Systems irrigating 5 acres or less may have 0.03 cfs per acre. Domestic use, 0.04 cfs for one household with up to 1/2 acre of lawn or garden irrigation. One household with in-house use only may be less. Stockwater use, see TABLE 1.

Some systems may be capable of producing more water than the amounts shown for the preceding uses. You may claim the amount of water that your system actually produces, provided the water is put to beneficial use. If your irrigation requirements are greater than the amounts shown, an "Excessive Irrigation Flow" form should be completed and submitted with your claim. To obtain this form, contact one of the Department offices.

Examples of purposes, dates, and amounts of water use:

	(both dates are inclusive)	(cfs)	(acre feet)
For <u>Irrigation</u>	Purposes from <u>3-15</u> to <u>11-15</u>	amount <u>6.54</u>	or ____.
For <u>Irr. Storage</u>	Purposes from <u>11-16</u> to <u>3-14</u>	amount ____	or <u>100</u> .
For <u>Irr. From Stor.</u>	Purposes from <u>3-15</u> to <u>11-15</u>	amount ____	or <u>100</u> .
For <u>Industrial</u>	Purposes from <u>1-1</u> to <u>12-31</u>	amount <u>1.72</u>	or ____.
For <u>Stockwater</u>	Purposes from <u>1-1</u> to <u>12-31</u>	amount <u>0.05</u>	or ____.

TABLE 1, RECOMMENDED DIVERSION RATES FOR STOCKWATER

In cubic feet per second (cfs)

No. of head	Dairy cows	Other cattle, horses & mules	Hogs	Sheep & goats
0 - 25	0.02	0.02	0.02	0.02
26 - 50	0.04	0.02	0.02	0.02
51 - 100	0.07	0.03	0.02	0.02
101 - 200	0.13	0.05	0.02	0.02
201 - 300	0.20	0.07	0.02	0.02
301 - 400	0.26	0.09	0.03	0.02
401 - 500	0.33	0.12	0.04	0.02
501 - 600	0.39	0.14	0.05	0.03
601 - 700	0.46	0.16	0.05	0.03
701 - 800	0.52	0.19	0.06	0.03
801 - 900	0.58	0.20	0.07	0.04
901 - 1000	0.65	0.23	0.08	0.04

For chickens, round to the next highest 100 and multiply this number by 0.0000018.

For turkeys, round to the next highest 100 and multiply this number by 0.0000033.

If you have more than 1000 head of stock (other than poultry), round the number of head to the next highest 100, and multiply this number by one of the following factors:

For dairy cows, multiply by 0.00065

For other cattle, horses, or mules, multiply by 0.00022

For hogs, multiply by 0.000074

For sheep or goats, multiply by 0.000037

Round the amount you calculate to the nearest 0.01 cfs and enter this amount in the appropriate space on your claim. You may claim 0.01 cfs even if your calculated amount is less than 0.01 cfs.

TOTAL QUANTITY CLAIMED

Item 7: Enter the total amount of water diverted for all the uses shown in Item 6. The total quantity claimed should not exceed the diversion capacity of the system, nor the total of all the uses.

TOTAL CONSUMPTIVE USE CLAIMED

Item 8: Consumptive use is the amount of water that is removed from the water system by use or is not returned to the water system through return flows or seepage. For irrigation purposes, the consumptive use is based upon the most water consumptive crop that can be grown in an area during the irrigation season. Use the map "Annual Volume of Consumptive Use for Irrigation" located on the last page of the instructions to determine the suggested consumptive use per acre for your area. Multiply this number by the number of acres irrigated to determine the total consumptive use in acre feet per annum. Commercial and industrial consumptive use will vary with the manner in which the water is used. Domestic and stockwater uses are consumptive, however, the individual consumptive amounts are so small that no consumptive use needs to be stated.

NON-IRRIGATION USES

Item 9: Describe uses other than irrigation as fully as possible. For power generation, include the total head in feet and the nameplate generating capacity in kilowatts (KW). For fish propagation, include the number of raceways and their dimensions. For domestic, include the number of households connected to the system. For commercial or industrial, include the name of the product that is manufactured or processed. For stockwater, include the number and kind of livestock.

Examples of non-irrigation uses:

Hydropower generation, 200' head, 100 KW generator.

Fish hatchery with 5 raceways, raceways are 50' x 100' x 3' deep.

Domestic use in a subdivision with 75 lots.

Potato processing plant and feedlot with 5000 head beef cattle.

DESCRIPTION OF PLACE OF USE

Item 10: Enter the legal description of the place where the water is being used. The township is entered in the box below "TWN"; the range is entered in the box below "RNG"; and the section number is entered in the box below "SEC". The other boxes represent 40 acre tracts or government lots within each section. If the use is irrigation, enter the number of acres irrigated in each 40 acre tract or government lot. If the use is other than irrigation, place the letter symbol (see Table 2) for the use in the appropriate box(es) to show the location of the place of use. If the place of use is a government lot, the lot number should be included in the box (see example).

TABLE 2, USE SYMBOLS

Stockwater - S	Domestic - D	Fish Propagation - H	Industrial - I
Cooling - L	Wildlife - W	Recreation - R	Heating - G
Aesthetic - J	Commercial - C	Power - P	Fire Protection - F
Municipal - M	Mining - X	Ground Water Recharge - E	

Example :

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
10S	23E	24												20			40	28	88
		25	40			Lot 5 43													83
	24E	30					7	Lot 3 32	Lot 4 45	Lot 5 42									126
		30					S	Lot 3 D&C		Lot 5 S									

Total number of acres to be irrigated 297

LOCATION OF PLACE OF USE

Item 11: Enter the county (or counties, if more than one) in which the place of use is located.

OWNERSHIP OF PROPERTY

Item 12: If you own the property listed as the place of use put a "check" in the space after the "Yes". If you do not own the property listed as the place of use put a "check" after "No", and describe in Remarks (Item 14) the authority you have to claim this water right. Examples: Power of attorney, lessee (renter), trustee, estate administrator, or the land is within the service area of an irrigation district or company. Also, a claimant that does not own the property listed as the place of use (except for a municipality, water utility, irrigation district, or ditch company) must list the name(s) and address(es) of the owner(s) in Remarks (Item 14).

DESCRIBE OTHER WATER RIGHTS

Item 13: If other water rights owned by you or others are used at the same place and for the same purposes, the other rights overlap this right, and they must be described. If the other water right has a water right number assigned by the Idaho Department of Water Resources (IDWR), this number is a sufficient description. If the other water right does not have a number assigned by the IDWR, this other right should be described completely on an attached sheet of paper. If no other water rights are used at the same place and for the same purpose as the right you are claiming, place a "check" after "None".

REMARKS

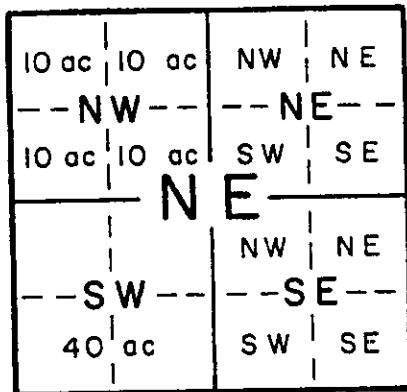
Item 14: Use this space to enter information that requires more space than is provided on the claim form. This would include additional names and addresses (Item 1), names and addresses of new owners (Item 1), subdivision plat information (Item 4), points of injection and rediversion (Item 4), and if the claimant is not the owner, the authority for claiming this water right and the owner's name and address (Item 12). Also, include any relevant information that was not specifically requested on the claim form that would further define or describe this water right. If additional space is needed a separate sheet of paper may be used and attached to the claim.

Be sure to identify all documents submitted with the claim form in this Remarks section. This is essential so additional information submitted by you does not become separated from the claim form.

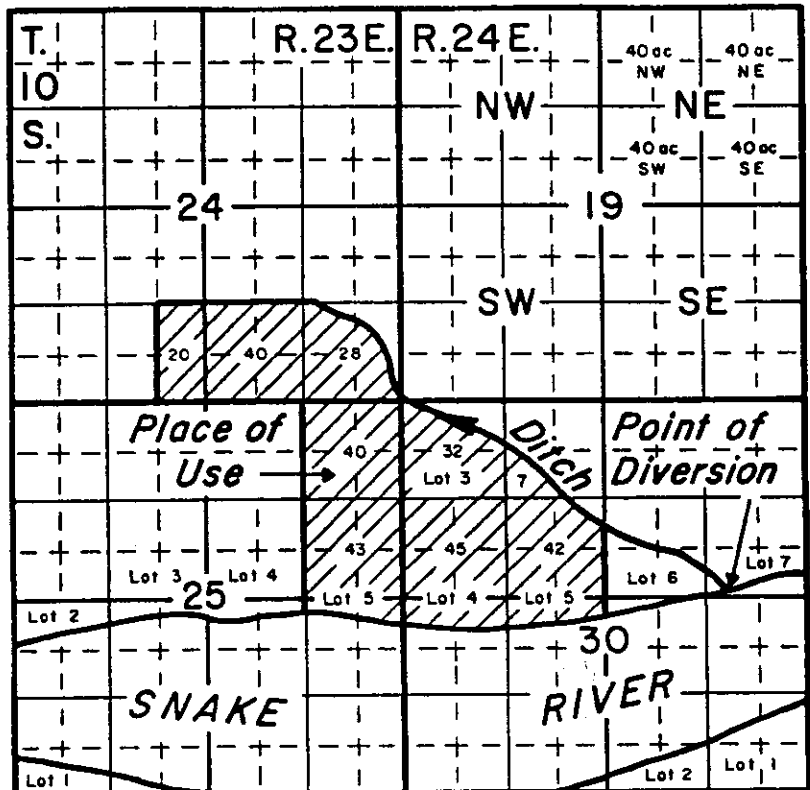
MAP OF PROJECT

Sketch the location of reservoirs, dams, canals, ditches, pipelines, wells, and other works used in the diversion of the water. The map must also clearly show the location of the lands irrigated or the place of use, and the point of diversion. The map must be complete as to legal descriptions.

At the scale of 2 inches equaling one mile, each small square represents a 10 acre tract. If you have used a different scale for your sketch, please indicate the scale that you used.



The NE 1/4 of Section 19
(160 acres) has been enlarged
to show the quarter-quarter-quarter
sections (10 acre tracts).



BASIS OF CLAIM

Item 15: Indicate by placing a "check" in the appropriate space the basis on which you are filing your claim. If no record of your water use is in the Department's files, you probably have a **Beneficial Use** right (see Permit Requirements) and no Idaho Department of Water Resources (IDWR) Water Right Number can be entered. If the basis of your claim is a "Claim to a Water Right" form you filed with the Department, you have a **Beneficial Use** right, and you should enter the **IDWR Water Right Number** assigned to that claim. If the basis of your claim is a **Posted Notice**, provide a copy of the posted notice as described in Item 2. If the basis of your claim is a water right License issued by the Department, enter the **IDWR Water Right Number** assigned to that license. If the basis of your claim is an approved **Permit**, enter the **IDWR Water Right Number** assigned to that permit. If the basis of your claim is a **Decree**, and the decreed right was assigned a water right number by the Department, enter the water right number in the space after **IDWR Water Right Number**. This is NOT the order of priority number that was assigned by the decree. If an **IDWR Water Right Number** was not assigned to your decreed water right, enter the **Court**, the **Case Number**, the **Decree Date**, and the **Plaintiff vs. Defendant** or the name of the decree as it is commonly known.

SIGNATURE(S)

Item 16: Read "How You Will Receive Notices in the Snake River Basin Adjudication" located on the back of the preprinted claim form. After you have read and understood this, place a "check" in the appropriate space indicating that you do or do not wish to pay a small annual fee for a subscription to receive monthly copies of the docket sheet.

Enter the number of attachments in the space provided.

The signature(s) on the claim must be notarized. If there is more than one name on the claim form (Item 1), and the names have an "and" between them, all of the named parties must sign the claim form. If the names have an "or" or an "and/or" between them, all of the named parties may sign the claim, but only one of the named parties must sign the claim. If the claimant is an organization, an authorized agent of the organization must sign the claim for the organization.

NOTICE OF APPEARANCE

Item 17: If you want the notices required by law that are associated with this claim to be mailed to your attorney instead of you, have your attorney complete Item 17.

FILING FEES

Each claim submitted must include the filing fee. The filing fee for single family domestic use (or single-ownership, multiple-family domestic use) and/or stockwater use claims diverting less than 13,000 gallons of water per day is \$25.00. These claims may use Form No. 42-1409(2)a or Form No. 42-1409(2)b. If form No. 42-1409 (2) a is used to claim a single family domestic use and/or stockwater use diverting 13,000 gallons a day or less, the filing fee is \$25, and no variable fee applies. All other claims for water rights acquired under state law must use Form No. 42-1409(2)a. The filing fee for these claims consists of a \$50.00 flat fee, plus a variable fee for each purpose (except fire protection or ground water recharge or single family domestic use and/or stockwater diverting less than 13,000 of water per day.) The variable fees are based upon acreage, power generating nameplate capacity, cfs amount, or an equivalent volume of storage water. Use Table 3 to calculate the variable fee. Add the calculated variable fee for each use where more than one use is claimed to the \$50.00 flat fee to determine the fee for the claim. The exceptions are fire protection or ground water recharge which have a \$50 flat fee, and no variable fee. However, these claims must be filed on Form No. 42-1409(2)a.

Examples for a single claim to a water right with single source and same priority date:

Single family domestic and stockwater use, less than 13,000 gallons per day in total	\$25
100 acres irrigation, domestic and stockwater as above	\$150
Fish propagation, 4.2 cfs	\$92
Multiple family domestic, 1.6 cfs, irrigation of yards and gardens, 14 aces	\$224

TABLE 3, VARIABLE FEE SCHEDULE

Irrigation:	\$1.00 per acre
Each acre is charged only once.	
Power generation	\$3.50 per kilowatt or part thereof
of capacity of manufacturer's nameplate rating.	
Aquaculture:	\$10.00 per cfs or part thereof.
All other uses: (see exceptions below)	\$100.00 per cfs or part thereof.
Exceptions: No variable fee is charged for the following uses: fire protection or ground water recharge.	

For a public entity claiming water for more than one public purpose, the variable fee per cfs is charged once per cfs claimed. The fee is charged on the largest of the amounts claimed. Public purposes include instream flows, lake levels, wildlife, aesthetic beauty and recreation uses claimed by a public entity.

If the total fee(s) for all of the claims filed by a claimant in a single day at a single claims-taking location equals or exceeds \$1,000.00, the claimant is eligible for an extended payment plan. Contact IDWR for details.

The filing fee must accompany this claim. Make checks payable to the Idaho Department of Water Resources. You should keep the yellow copy of the claim form for your records. Send the fee along with the white copy of the claim form to one of the following offices:

Northern Region

Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450
FAX 208/769-1454

Western Region

Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Southern Region

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Eastern Region

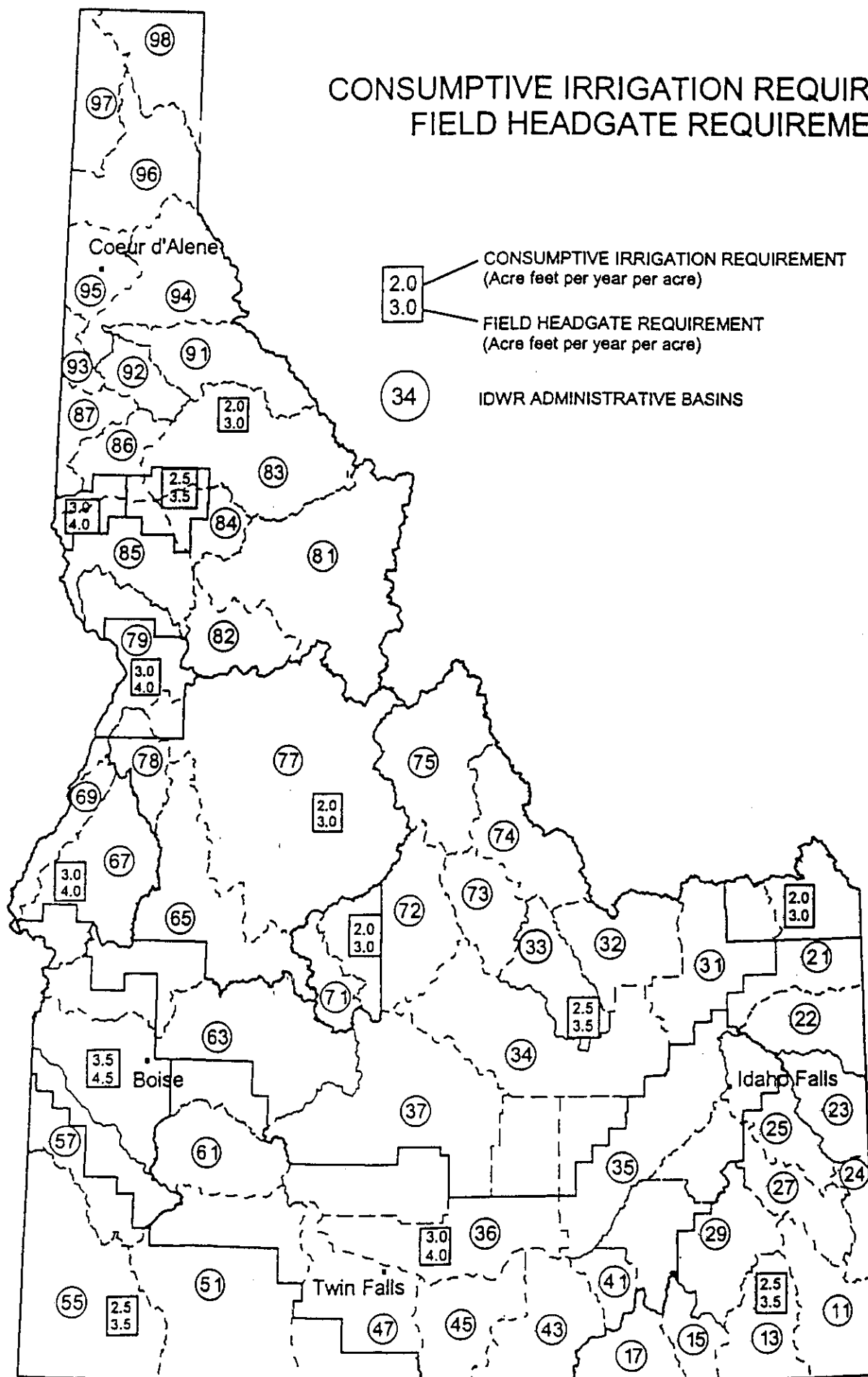
Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

If you need additional information or assistance in completing the claim form, you may contact one of the Department's offices.

ADJUDICATION PROCESS

The initial round of soliciting claims has been completed, and the process of reviewing and verifying the claims is in progress. This process may take from five to six years, during which time additional claims may be solicited and the directors reports will be filed with the court. You will receive a copy of your recommended water right at the time the directors report containing your water right is filed with the court.

CONSUMPTIVE IRRIGATION REQUIREMENT, FIELD HEADGATE REQUIREMENT



IRRIGATION SEASON OF USE

